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6 Attorneys for Plaintiff
7 SECURITY PACIFIC NATIONAL BANK

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 FOR THE COUNTY OF SAN DIEGO

10 SECURITY PACIFIC NATIONAL)
11 BANK, a national banking)
12 association,)
13 Plaintiff,)
14 v.)
15 CINEMATRONICS, INCORPORATED,)
16 a California corporation,)
17 JIMMIE DALE PIERCE, an)
18 individual, SUSANNE C.)
19 PIERCE, an individual,)
20 and DOES I through XX,)
21 inclusive,)
22 Defendants.)
23 -----)

No. 490399

EX PARTE APPLICATION
FOR ORDER ALLOWING
EARLY DISCOVERY
[CCP §2016] AND THE
SETTING OF A HEARING
ON APPLICATION FOR
RIGHT TO ATTACH ORDER

24 COMES NOW, SECURITY PACIFIC NATIONAL BANK ("SPNB")
25 and applies to the court as follows:

26 1. WHEREAS, SPNB has filed a verified complaint
27 against CINEMATRONICS, INCORPORATED ("CINEMATRONICS") for
28 breach of numerous loan obligations, total damages for which
exceed \$3,174,035.59.

2. WHEREAS, SPNB does not have any security for
the aforescribed loans now in default.

1 3. WHEREAS, SPNB has made demand on CINEMATRONICS
2 for payment of all amounts due, which demand has gone
3 unanswered.

4 4. WHEREAS, SPNB alleges it has exhausted all
5 avenues of working out of this loan situation short of this
6 lawsuit.

7 5. WHEREAS, SPNB is informed and believes that
8 CINEMATRONICS' financial position is deteriorating and that
9 its position will be substantially prejudiced if it is unable
10 to obtain a right to attach order at the earliest possible
11 date. Absent this ex parte application, SPNB was informed the
12 next available date for such a hearing was September 9, 1982.

13 6. WHEREAS, SPNB alleges in order for it to secure
14 proper attachments and obtain a judgment at the earliest
15 possible date, it needs to initiate discovery to substantiate
16 its case and that this discovery must be initiated
17 immediately.

18 7. SPNB hereby requests an order allowing SPNB to
19 present its application for a right to attach order and writ
20 of attachment at the earliest possible date.

21 8. SPNB also requests an order waiving the 20-day
22 delay in initiating discovery requests.

23 DATED: August 13, 1982.

24 Respectfully submitted,

25 LILLICK MCHOSE & CHARLES
26 DANIEL C. MINTNER

27 By 

28 Daniel C. Mintner

Attorneys for Plaintiff
SECURITY PACIFIC NATIONAL BANK